

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:14-cv-34**

VALLEY TRUCK SERVICE, INC.,)	
REBECCA HARRIS, and KEITH HARRIS,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
TEXTRON INC., AECOM, INC., U.S.)	
GEAR TOOLS, INC., MICROMATIC INC.,)	
and MICROMATIC LLC,)	
)	
Defendants.)	
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ORDER

THIS MATTER is before the Court *sua sponte* to ascertain subject matter jurisdiction. The Plaintiffs filed this action alleging that there is diversity jurisdiction, pursuant to 28 U.S.C. § 1332. In the Complaint, Plaintiffs allege that Micromatic LLC is a Delaware corporation with its principal place of business located in New Berne, Indiana.

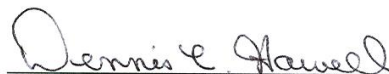
Courts have an affirmative duty to question subject matter jurisdiction even when the parties have not done so. Interstate Petroleum Corp. v. Morgan, 249 F.3d 215 (4th Cir. 2001); Plyer v. Moore, 129 F.3d 728, 732 n.6 (4th Cir. 1997), *certiorari denied* 524 U.S. 945, 118 S.Ct. 2359, 141 L.Ed.2d 727 (1998); 28

U.S.C. §1447(c)(“If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.”). A limited liability company is a citizen of all states in which its constituent members are citizens. Carden v. Arkoma Associates, 494 U.S. 185, 110 S.Ct. 1015, 108 L.Ed.2d 157 (1990). The Defendant, Micromatic LLC, will be required to state whether it has constituent members or partners and the addresses of such.

ORDER

IT IS, THEREFORE, ORDERED that on or before **May 20, 2014**, the Defendant, Micromatic LLC, shall file a response disclosing the names and citizenships, if any, of all the constituent members or partners of Micromatic LLC and for any such constituent members or partners that are limited liability companies or partnerships shall identify the citizenships of the respective constituent members or partners until all such constituents are fully identified.

Signed: May 7, 2014



Dennis L. Howell
United States Magistrate Judge

